

32692

Customer Number

Patent
Attorney Docket No.: 57329US005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: SCHLUTER, DIETRICH M.
Application No.: 10/500,617 Confirmation No.: 4341
Filed: January 17, 2003 Group Art Unit 2833
Title: TERMINAL BLOCK AND WIRE DISTRIBUTOR INCLUDING AT LEAST ONE
TERMINAL BLOCK

BRIEF ON APPEAL

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Applicants file this Appeal Brief on appeal from a final Office Action dated April 10, 2006 finally rejecting claims 1-4 & 7-10 of the application and from a Notice of Panel Decision from Pre-Appeal Brief Review dated October 26, 2006 instructing Applicants to proceed to the Board of Patent Appeals and Interferences. Applicants electronically filed a Notice of Appeal on July 10, 2006.

Any fees necessary for entry of this paper will be paid at the time of EFS-Web submission.

Appellants request the opportunity for a personal appearance before the Board of Appeals to argue the issues of this appeal. Applicants will remit payment for the personal appearance fee upon receipt of the Examiner's Answer.

REAL PARTY IN INTEREST

3M Company (formerly known as Minnesota Mining and Manufacturing Company) of St. Paul, Minnesota and its affiliate 3M Innovative Properties Company also of St. Paul, Minnesota are the real parties in interest of this application.

RELATED APPEALS AND INTERFERENCES

Appellants are unaware of any appeals or interferences related to the subject matter of this application.

STATUS OF CLAIMS

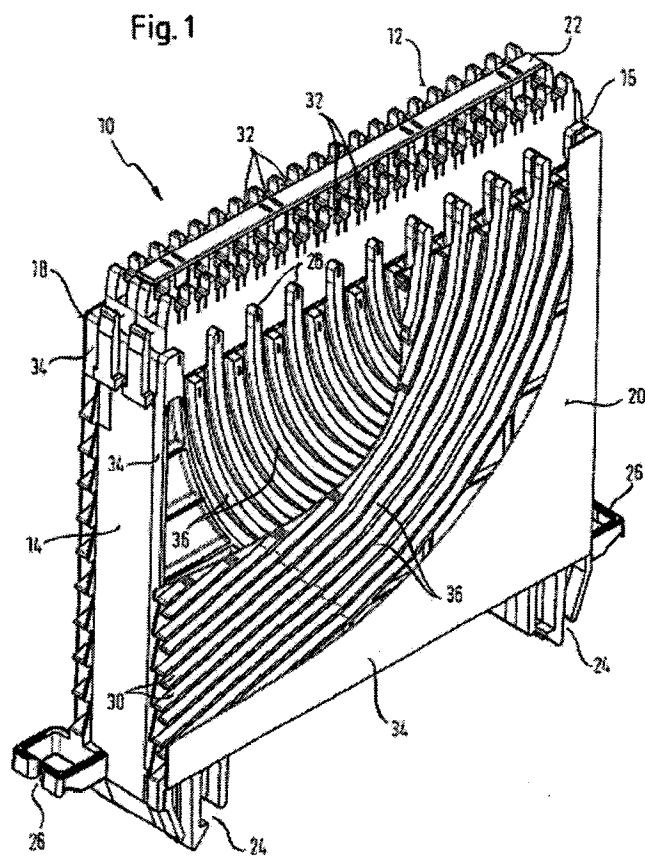
Claims 1-10 currently are pending in the application. The Examiner objects to claims 5 and 6 as being dependent on a rejected claim but otherwise indicates that the claims contain allowable subject matter. Claims 1-4 and 7-10 stand finally rejected.

STATUS OF AMENDMENTS

Appellants did not file any amendments after final rejection.

SUMMARY OF CLAIMED SUBJECT MATTER

The claims at issue in this appeal relate to telecommunications blocks. Telecommunication blocks, in their simplest form, provide an array of telecommunications contacts to which incoming and outgoing wires (sometimes also termed cables) are attached. Such telecommunication blocks also sometimes include one or more wire guides that provide organized access for the wires to each contact held in the array of the block. Independent claim 1, the only rejected independent claim in the application, recites a unique configuration of a telecommunications block that includes at least two adjoining wire guide arrays, where the adjoining wire guides lead to opposite sides of the block but are associated with the same row of contacts within the block. This arrangement is illustrated in Figure 1 of the application which depicts block (10) having rows of contacts (32) and adjoining wire guide arrays (34) composed of multiple webs (36) of wire routing troughs (30):



The claimed arrangement of wire guides provides several specific advantages discussed in the application:

"For the terminal block the flexibility of guiding the cable conductors in this way is substantially enhanced by assigning a single row of contacts to an array of wire guides which lead to different sides of the terminal block. This enables cable conductors terminated at contacts of a single row of contacts to be guided to any side of the terminal block and this provides novel flexibility to the user without sacrificing the ability to maintain a certain order in routing of cable conductors from the terminal block. Hitherto it was conventionally the case, that a certain row of contacts had to be assigned to a particular side of a terminal block. At this side the further run of the cable conductors, as cited above, was defined, for example, downwards or upwards by the defined architecture of the wire distributor. Accordingly, it was hitherto the case that certain rows of contacts could only be used for a certain function, for example, for terminating cable conductors at the subscribers. Other rows of contacts could only be used for terminating cross-connect or backbone cables due to the traditionally defined routing directions of bundled cable conductors.

It is now possible to bring out cable conductors terminated at a particular row of contacts to either side of the terminal block. At the left-hand side and right-hand side of the terminal block the directions for routing the cable conductors are defined, namely upwards or downwards. The invention thus provides added flexibility as to whether a terminated cable conductor can be further routed upwards or to the side at which it is routed further downwards. In particular, the side, to which a terminated cable conductor can be guided, is independent from the contact row, at which it is terminated. By means of the invention, the terminated cable conductor can flexibly be guided towards either side. In this manner it is possible to continue the guiding of the terminated cable conductor along side the terminal block in the upwards or downwards direction without harming the uncluttered arrangement of the cable conductors. The novel terminal block accordingly makes it possible to use the rows of contacts with added flexibility." (Specification at pages 8-9).

The present application claims priority to International Patent Application No. PCT/EP03/00461. Applicants filed the application with the USPTO under 35 U.S.C. § 371 after a preliminary international examination, the proceedings of which Applicants provided to the USPTO upon filing. The single reference applied against the claims in the outstanding rejection and central to this appeal, the Steiner reference,¹ was cited during international examination (as reference D3) and was distinguished on the same grounds as Applicants have argued to the Examiner. The International Preliminary Examination Report acknowledged general patentability of the present claims.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Ground of Rejection

Claims 1-4 and 7-10 stand rejected under 35 U.S.C. § 102(b) as purportedly anticipated by the Steiner Reference (German Patent No. DE 2,048,144) (*see supra* at footnote 1).

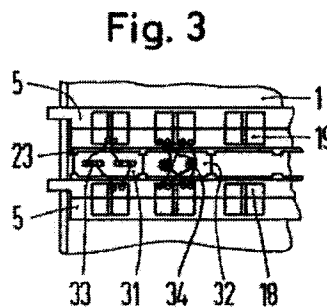
ARGUMENT

Applicants respectfully submit that the rejection of claims 1-4 and 7-10 under 35 U.S.C. § 102(b) should be reversed. Applicants believe the Examiner has fundamentally misinterpreted

¹ The Steiner reference is published in German. Applicants cited the Steiner reference in an Information Disclosure Statement filed on June 29, 2004 together with an English language abstract. Applicants provided a full English language translation of the reference to the Examiner with their January 20, 2006 Response.

the Steiner Reference and has failed to adequately consider the arguments submitted by Applicants in their Response of January 20, 2006.

Like those described by the Steiner Reference, telecommunications blocks of the prior art generally include two **non-adjoining** arrays of wire guides positioned on opposite sides of a row of contacts and forming a "sandwich"-like construction where a row of contacts is positioned between two wire guides. In such an arrangement, the row of contacts separates the two wire guides. This very type of non-adjoining configuration represents the construction disclosed in the Steiner reference at Figure 3 (the allegedly anticipatory disclosure cited by the Examiner), where a row of contacts associated with components (31) and (32) separates wire guides (18) and (19):



The description accompanying Figure 3 of the Steiner reference unambiguously associates wire guides (18) and (19) with components (31) and (32), consistent with clear depiction of the wires in the drawing. (*See English Translation at page 7*). As is clearly evident, the wire guides associated with the row of contacts in Figure 3 are not configured in adjoining arrays. Rather, instead of adjoining one another, the guides are separated by components (31) and (32). Stated more directly in the language of claim 1, the two arrays associated with the components (*i.e.*, the row of contacts) do not adjoin **both** each other and at least one row of contacts. At best, the wire guides depicted in the Steiner reference adjoin only a row of contacts.


For at least this reason, the Steiner reference cannot be held to anticipate the subject matter of claim 1, and the Examiner's application of the reference to the claim is clearly erroneous. Because each of claims 2-4 and 7-10 depend directly or indirectly on claim 1, the application of the Steiner reference to each of them suffers the same error. Applicants therefore respectfully request the Board's reversal of the Examiner's rejection.

CONCLUSION

For the reasons set forth in this Appeal Brief, Appellants submit that the Examiner has erred in rejecting this application. Appellants therefore respectfully request review of this appeal, a decision reversing the Examiner on all counts and an acknowledgement of the allowability of the application.

Respectfully submitted,

January 23, 2007
Date

By: 
John A. Burtis, Reg. No.: 39,924
Telephone No.: 512-984-4672
Attorney for Applicants

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833

CLAIMS APPENDIX

1. (Previously Presented) A telecommunications terminal block including:
at least one contact module including a front side and a rear side, an upper side and a lower side, a first side and a second side opposite the first side, as well as at least one row of contacts extending between the first side and the second side which are exposed at the front side, and
at least two arrays each comprising at least two wire guides arranged at the upper side and/or lower side of the contact module, which lead cable contactors terminated at the contact from the front side to the first side or the second side, the wire guides of each array each leading to a single side,
whereby at least two of the arrays adjoin each other and at least one row of contacts and are assigned to said row of contacts, and
whereby the wire guides of the each such array lead to opposite sides.
2. (Previously Presented) The terminal block as set forth in claim 1, having wire guides that are closed wire routing troughs.
3. (Previously Presented) The terminal block as set forth in claim 1, having wire guides that are substantially hook-shaped.
4. (Previously Presented) The terminal block as set forth in claim 1, further comprising a housing, whereby each at least one contact module and its wire guides are integrated into the housing.
5. (Previously Presented) The terminal block as set forth in claim 1, having a first array of wire guides provided at the lower side or the upper side, a second array of wire guides provided at the upper side or the lower side opposite the first array of wire guides and a third array of wire guides provided at the lower side or the upper side, which lead to the same side as the wire guide of the array of wire guides located opposite the third array of wire guides.
6. (Previously Presented) The terminal block as set forth in claim 5, wherein all wire guides of that side, on which the third array of wire guides is provided, are closed wire routing troughs, and the wire guides of the opposite side are substantially hooked-shaped.
7. (Previously Presented) The terminal block as set forth in any of claim 1, wherein the wire guides of all arrays are closed wire routing troughs.

8. (Previously Presented) The terminal block as set forth in claim 1, further comprising at least one splitter module.

9. (Previously Presented) A wire distributor, more particularly telecommunications main distributor, including at least one terminal block as set forth in claim 1.

10. (Previously Presented) The wire distributor as set forth in claim 9, characterized by it including a plurality of terminal blocks stacked or adjacent to each other, whereby between any two contact modules, there are provided more arrays of wire guides than there are rows of contacts within the contact modules.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.